

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

308

CRR-1594-2023
Date of Decision: 13.08.2024

Sushil Kumar

....Petitioner

Versus

Vicky

....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:

Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Saket Bhandari, Advocate
for the respondent.

ANOOP CHITKARA, J.

Aggrieved by the order dated 17.10.2022, passed by the Additional Sessions Judge, Karnal, vide which the conviction order of the respondent was reversed, the petitioner has come up before this Court by filing the present revision petition.

2. Counsel for the respondent raised preliminary objection about maintainability of the present revision petition on the grounds that it is not a correct remedy and infact the remedy for the complainant who was dis-satisfied with the acquittal of the convict/accused, was to file an application for leave to appeal (earlier under Section 378(4) CrPC and now under Section 419 BNSS).

3. Faced with this, counsel for the petitioner submits that he be given liberty to withdraw the present petition with liberty to file a fresh application for leave to appeal under Section 419 BNSS, with clarification that the time for which the present petition was pending, shall not be counted for the purpose of limitation.

4. Prayer is accepted. Petition is disposed of as withdrawn with liberty to file an application for leave to appeal under Section 419 BNSS. It is clarified that the time for which the petition was pending before this Court, shall not be counted for the purpose of limitation. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

13.08.2024
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Whether speaking/reasoned	Yes
Whether reportable?	No